

Below is the Order of the Court.



Mary Jo Heston

Mary Jo Heston
U.S. Bankruptcy Judge
(Dated as of Entered on Docket date above)

IN THE UNITED STATES BANKRUPTCY COURT
IN AND FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

In Re:

JULIE LYNN PIRTLE,

Debtor.

In Chapter 7 Proceeding

NO. 18-43958-MJH

ORDER GRANTING MOTION TO
APPROVE SALE OF REAL PROPERTY
AND TO APPROVE SETTLEMENT
AGREEMENT

THIS MATTER having come on regularly for hearing before the above-entitled Court, upon the Chapter 7 Trustee's Motion to Approve Sale of Real Property and to Approve Settlement Agreement ("**Motion**") brought pursuant to 11 U.S.C. § 363(b), (c), (f), (h) and (m) and the Court having reviewed the records and files herein, including Trustee's Motion, and for the reasons stated orally and recorded in open court and incorporated herein pursuant to Fed. R. Bankr. P. 7052, finds that adequate and proper notice was provided, no objection was filed and that cause exists to grant the relief requested, and having so found, it is hereby

ORDERED, ADJUDGED AND DECREED that Trustee's Motion to Approve Sale of Real Property and to Approve Settlement is **GRANTED** and Trustee is authorized pursuant to 11

1 U.S.C. § 363(b), (c), (f), (h) and (m) to sell the estate's interest in the real property located at 215
2 St. Helens Way, Winlock, Washington for the sum of \$145,000.00 to Daniel J. Chenier or any
3 subsequent buyer for an amount equal to or exceeding \$145,000.00 should the sale to Daniel J.
4 Chenier fail to close; it is further

5
6 **ORDERED, ADJUDGED AND DECREED** that the Residential Real Estate Purchase
7 and Sale Agreement Specific Terms with Addenda ("PSA"), which is attached to the Motion and
8 incorporated herein in its entirety by this reference, between Trustee and Daniel J. Chenier shall
9 be and is hereby approved and Trustee is authorized to take any and all necessary steps to
10 consummate said PSA, and to close the sale in accordance with the terms thereof; it is further

11 **ORDERED, ADJUDGED AND DECREED** that necessary escrow costs, real estate
12 commissions, real property taxes owing on the property to Lewis County, through and including
13 the date of closing, and other costs of sale, including utilities, if any, and the delinquent water
14 and sewer charges owed to the City of Winlock estimated at approximately \$2,500.00, are
15 hereby approved and shall be paid from the proceeds of sale; it is further

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17 **ORDERED, ADJUDGED AND DECREED** that the estate is authorized to pay in full
18 at closing the first position lien of Kondaur Capital Corporation, including all outstanding
19 principal, interest, fees and costs, which Trustee shall validate as to amount and priority; it is
20 further

21
22 **ORDERED, ADJUDGED AND DECREED** that the Settlement Agreement, which is
23 attached to the Motion and incorporated herein in its entirety by this reference; between Trustee
24 and Debtor shall be and is hereby approved; it is further

1 **ORDERED, ADJUDGED AND DECREED** that based upon the Settlement Agreement
2 approved herein, the net proceeds of approximately \$14,000.00 from sale of the Property shall be
3 disbursed to Trustee to be held pending further order of the Court; it is further
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5 **ORDERED, ADJUDGED AND DECREED** that pursuant to 11 U.S.C. § 363(f) said
6 sale will be free and clear of all liens and interests, including the Debtor's exemption claims, if
7 any, and excluding Debtor's exemption claims, said liens and interests to attach to the proceeds
8 of the sale, provided, the Property shall not be transferred free and clear of the real property taxes
9 related to tax year 2019 for taxes not yet due and owing; and it is further

10 **ORDERED, ADJUDGED AND DECREED** that this Order shall become effective
11 immediately, without stay, as provided by Fed. R. Bankr. P. 6004(h).
12

13 ///End of Order///

14 Presented by:

15 EISENHOWER CARLSON PLLC
16

17 By: /s/ Terrence J. Donahue
18 Terrence J. Donahue, WSBA #15193
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